

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

CALLPOD, INC.

v.

T TECHNOLOGY, INC., et al.

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Case No. 2:11-CV-326-JRG-RSP

**ORDER**

A *Markman* hearing is set for December 13, 2012. The parties have filed their claim construction briefs, and request that the Court construe 24 separate claim terms drawn from a single patent. Given that 24 claim terms cannot be reasonably argued at a single hearing, and the Court's concern that there may not be a legitimate claim construction dispute for all 24 claim terms, the Court orders that:

1. The parties meet and confer to select the ten most important claim terms, and file a joint notice identifying the selected claim terms. The Court intends to hear argument on the selected terms at the *Markman* hearing.
2. For any remaining claim term that a party believes requires construction, the party must provide a written explanation of the material claim construction dispute that exists. For example, the party must explain how a product infringes or does not infringe under a particular construction or explain how a prior art reference invalidates or does not invalidate an asserted claim under a particular construction.

3. The parties must be prepared to discuss the remaining terms after the first ten terms are argued at the *Markman* hearing. The Court will then set a schedule for any additional hearings that may be appropriate.

**SIGNED this 4th day of December, 2012.**

  
ROY S. PAYNE  
UNITED STATES MAGISTRATE JUDGE